



**IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,
Plaintiff,
v.
RUBEN FAJARDO,
Defendant.

Case No. CR 10-0072-DMG

ORDER OF DETENTION

[Fed. R. Crim. P. 31.1(a)(6);
18 U.S.C. § 3143(a)(1)]

I.

On December 16, 2016, Defendant appeared before the Court for initial appearance on the petition and warrant for revocation of supervised release issued by this Court. Defendant was represented by Deputy Federal Public Defender Ashfaq Chowdhury.

The Court has reviewed the Pretrial Services Report and its recommendation of detention, and the allegations in the Violation Petition. The Government has requested that defendant be detained pending a supervised release revocation

1 hearing based on risk of flight and danger to the community. Defendant submits
2 on the recommendation of detention.

3
4 II.

5 Pursuant to Federal Rule of Criminal Procedure 32.1(a)(6) and 18 U.S.C. §
6 3143(a) following Defendant's arrest for alleged violation(s) of the terms of
7 Defendant's ☐ probation / ☒ supervised release,

8 The Court finds that :

9 A. ☒ Defendant has not carried his burden of establishing by clear
10 and convincing evidence that Defendant will appear for further proceedings as
11 required if released [18 U.S.C. § 3142(b-c)]. This finding is based on:

12 ☒ Allegations in petition which include failing to report changes
13 in residence or employment within 10 days; defendant failed to report to his
14 Probation Officer on May 16, 2014 and his whereabouts were unknown until
15 his arrest for the pending violation petition.

16 ☒ unknown bail resources

17 ☒ unverified background information

18 ☒ history of alcohol abuse

19 ☒ history of non-compliance

20 ☒ subsequent felony conviction while on supervision.

21
22 B. ☒ Defendant has not carried his burden of establishing by clear
23 and convincing evidence that Defendant will not endanger the safety of any
24 other person or the community if released [18 U.S.C. § 3142(b-c)]. This
25 finding is based on:

26 ☒ criminal history

27 ☒ history of alcohol abuse

28 ☒ current violation status

☒ mental health issues, including multiple suicide attempts

III.

IT IS THEREFORE ORDERED that the defendant be detained pending further proceedings.

Dated: December 19, 2016

/s/

ALKA SAGAR
UNITED STATES MAGISTRATE JUDGE